IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT

THE HON'BLE MR. JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 2928 of 1998

Between:

M.Venkata Ram reddy, S/o.M.Linga Reddy,
Hindu, aged about 28 years, unemployee,
R/o.BT-16, S.R.S.P., Pochampad,
Nizamabad District.

... PETITIONER

AND

1. The State of Andhra Pradesh, represented By its Secretary, Irrigation Department, Secretariat, Hyderabad.
2. The Chief Engineer, Sriram Sagar Project, Mukaramjahi Road, Hyderabad,
3. The Superintending Engineer, Sriram Sagar Project, G.V.C.No.I, Sriram Sagar Project, Nizamabad District,
4. The District Collector, Nizamabad,

...RESPONDENTs

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, more in the nature of Writ of Mandamus, directing the respondents to appoint the petitioner in any suitable post in terms of G.O.Ms.No.98,Irrigation (Project Wing) Department, dated 15.04.1986 as done in the case of the others vide Proceedings in Memorandum No.22205/Services/VII(2)/92-6,dt.23.11.1993 issued by the 1st Respondent and proceedings No.C227/E2/28, dt.3.1.1994 issued by the 3rd Respondent.

Counsel for the Petitioner: MR.P.RAGHAVENDRA REDDY

Counsel for the Respondent Nos. 1 to 4.: GP FOR IRRIGATION &

COMM AREA DEV.

The Court Made the Following:

THE HONOURABLE Mr. JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.2928 of 1998

ORDER:

The Writ Petition is filed seeking a direction to the respondents to appoint the Petitioner in any suitable post, in terms of G.O.Ms.No.98, dated 15.04.1986, as was done in the case of others vide proceedings in Memorandum No.22205/Services/VII(2)/92-6, dated 23.11.1993.

2. The facts that lead to filing of the present writ petition are that the lands and house of the father of the petitioner were acquired as early as in the years 1966 and 1967 for the purpose of Sriram Sagar Project and an award was also passed granting compensation in the year 1971, and the Government issued G.O.Ms.No.98, dated 15.04.1986, providing employment to the displaced persons, or the children of the displaced persons, whose lands were acquired for the purpose of Sriram Sagar Project. Immediately after attaining majority, the petitioner has made a representation on 19.07.1989 requesting the respondents to consider his case for appointment under the displaced persons quota. As there is no response from the respondents to his representation, and as the respondents have considered some other cases of other persons under displaced quota, the petitioner was constrained to approach this court and filed the present writ petition.

3. A detailed counter affidavit has been filed by the respondents, stating that the petitioner is not one of those displaced persons, who come within the ambit of either G.O.Ms.No.98, dt.15.04.1986, or

G.O.Ms.No.148, dated 01.08.1991, and as such, the case of the petitioner cannot be considered.

4. Heard both the counsel.

5. From the facts, it is clear that the lands of the father of the petitioner, along with others, were acquired and an award was also passed in the years 1966 and 1967, and the petitioner was born in the year 1971. G.O.Ms.No.98 has come into existence for the first time in the year 1986, providing appointments to the displaced persons.

6. I am unable to agree with the submissions of the learned counsel for the petitioner that the petitioner also comes within the ambit of G.O.Ms.No.98, which has come into existence in the year 1986. In reality, the petitioner was born in the year 1971, long after the acquisition proceedings have taken place. I am in considered view that this G.O.Ms.No.98 will have application only for those lands, which were acquired subsequent to 1986.

7. But, however, the learned counsel for the petitioner brought to my notice that in identical circumstances, the respondents have considered the cases of other displaced persons, though their lands were acquired along with the lands of the father of the petitioner, and one such case is relating to one Mr.M.Prabhakar Reddy, vide proceedings in Memorandum No.22205/Ser.VII (2) 92-6,dated 23.11.1993.

8. If really, it is a fact that the respondents have considered the cases of similarly situated persons, the respondents are directed to consider the case of the petitioner sympathetically, for appointment in any suitable post basing on his qualifications. The said exercise may be completed within a period of three months, from the date of receipt of copy of this order.

9. With the above directions, the writ petition is disposed of. No costs.

Sd/- **ASSISTANT REGISTRAR.**

Dsr.

To:

1. The State of Andhra Pradesh, represented By its Secretary, Irrigation Department, Secretariat, Hyderabad.
2. The Chief Engineer, Sriram Sagar Project, Mukaramjahi Road, Hyderabad,
3. The Superintending Engineer, Sriram Sagar Project, G.V.C.No.I, Sriram Sagar Project, Nizamabad District,
4. The District Collector, Nizamabad,
5. Two CCs to Government Pleader (Irrigation), High Court Buildings, Hyderabad (OUT)
6. Two CD copies.